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T.B.

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/987,005 12/08/97 HOWELL

M MICL:038

EXAMINER

QM12/0703

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TROP, PRUNER, ET AL
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SMITH, S

ART UNIT

PAPER NUMBER

3729

DATE MAILED:

07/03/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/987,005

Applicant(s)

Howell

Examiner

Smith

Group Art Unit

3729

☒ Responsive to communication(s) filed on Feb 23, 2001

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 5-7, 16, 18, 20, and 22-24 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 5-7, 16, 18, 20, and 22-24 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☒ The proposed drawing correction, filed on Nov 15, 1999 is ☒ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 3729

DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action dated 12/18/00 is withdrawn.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 22-24 rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claim 22 recites selectively routing the cable through the first edge and the second edge

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 3729

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5-7,16 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable by Hudson in view of Caveney

Regarding claims 5-7 Hudson discloses a method of using a cable comprising: mounting a tray (26), the lower portion of the tray comprising a groove (32) underneath the lower portion of the notch (40); arranging the length of the cable (A) in the tray including laying the length of cable along the groove (Fig 2); selectively routing cable through at least one of the upper and lower portion notches to be used to pass the length of cable, if so routing the length of the cable (A) through the lower notch (40), Hudson fails to disclose the assembly having a cover and closing the cover over the assembly. Caveney discloses the cover over the assembly (27).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide a protective barrier over the exposed cable from environmental effects and debris.

Regarding claims 16 and 20, Hudson disclose discloses a shelf (34) adjacent to the upper notches (50) and routing the cable (B) through the shelf Fig 2.

6. Claims 18 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable by Hudson and Caveney in view of Zimmerman

Art Unit: 3729

Regarding claims 18 and 24, Hudson discloses a method of using a cable comprising; mounting a tray (26), the lower portion of the tray comprising a groove (32) underneath the lower portion of the notch (40); arranging the length of the cable (A) in the tray including laying the length of cable along the groove (Fig 2); selectively routing cable through at least one of the upper and lower portion notches to be used to pass the length of cable, if so routing the length of the cable (B) through the upper portion notch (50), Caveney discloses the tray having a cover (27). Hudson fails to disclose the cable management device to hold the cable at lest partially concealing the cable at position along a floor at a corner between the floor and the wall. Zimmerman discloses the cable management device along the floor and the wall Fig 5.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to establish a clean area that would conceal the cable under the surface and provide an electrical guide connection to the outlet wall.

Regarding claims 22-23, where Hudson is relied upon as above for disclosing a cable mounting system. Hudson fails to disclose a tray having a first and second longitudinal edges, the first edge being higher than the second edge (Fig 8); selectively routing the cable (2) through the notch in the first and second edge Fig 1.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to establish a tray that could be mounted vertically as taught by Caveney. Caveney discloses the vertical mounting of the tray to allow the passage of the cable along interconnecting components.

Art Unit: 3729

Response to Arguments

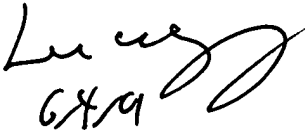
7. Applicant's arguments with respect to claims 5-7, 16, 18, 20 and 22-24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner S. Smith whose telephone number is (703) 305-0831.

SS

June 4, 2001


LEE YOUNG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700

Attachment for PTO-948 (Rev. 03/01, or earlier)
6/18/01

The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.

INFORMATION ON HOW TO EFFECT DRAWING CHANGES

1. Correction of Informalities -- 37 CFR 1.85

New corrected drawings must be filed with the changes incorporated therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the Notice of Allowability. Extensions of time may NOT be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.

All changes to the drawings, other than informalities noted by the Draftsperson, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

Timing of Corrections

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a).

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.